

Ernst	Loeffler	Sasse
Feinstein	Lujan	Schatz
Fischer	Lummis	Schumer
Gillibrand	Manchin	Scott (FL)
Graham	Markey	Scott (SC)
Grassley	McConnell	Shaheen
Hagerty	Menendez	Shelby
Harris	Merkley	Sinema
Hassan	Moran	Smith
Heinrich	Murkowski	Stabenow
Hickenlooper	Murphy	Sullivan
Hirono	Murray	Tester
Hoeben	Paul	Thune
Inhofe	Peters	Tillis
Johnson	Portman	Toomey
Kaine	Reed	Van Hollen
Kelly	Risch	Warner
King	Romney	Warren
Klobuchar	Rosen	Whitehouse
Lankford	Rounds	Wicker
Leahy	Rubio	Wyden
Lee	Sanders	Young

The VICE PRESIDENT. On this vote, the yeas are 6, the nays are 93.

The objection is not sustained.

The Secretary will notify the House of the action of the Senate, informing that body that the Senate is now ready to proceed to joint session for further counting of the electoral vote for President and Vice President.

The majority leader.

Mr. MCCONNELL. So, colleagues, here is where we are. We have a few more speakers now as we wait for the House to finish their debate and vote. We expect the House to finish voting on Arizona between 11:30 and midnight.

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with the following Senators permitted to speak therein for up to 5 minutes each: Senator TOOMEY, Senator RUBIO, and Senator COLLINS.

Mr. SCHUMER. And on our side, Senators WYDEN, HIRONO, and COONS.

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### OBJECTION TO COUNTING OF PENNSYLVANIA ELECTORAL VOTES

Mr. TOOMEY. Mr. President, I appreciate the indulgence of my colleagues allowing me to speak twice today. But my understanding is that later this evening, objectors will object to the certification of Pennsylvania's electoral votes because they disapprove of the process that my State used in the last election. So in light of my expectation of this objection, I rise to defend the right of my citizens, my constituents, to vote in the Presidential election.

Let's be clear. That is exactly what this objection is about. It is what it would do. It would overturn the results of the Presidential election in Pennsylvania, and it would thereby deny Pennsylvania's voters the opportunity to even participate in the Presidential election.

Even if Congress did have the constitutional responsibility to judge the

worthiness of a State's election process, which it does not, rejecting Pennsylvania's electoral votes would still be wildly out of proportion to the purported offenses and very damaging to our Republic.

Let me go through a few facts about Pennsylvania.

First, some of the objectors and, in fact, even the President of the United States this morning have observed that the Pennsylvania Supreme Court disregarded existing law when it ruled that mail-in ballots could be counted even if they arrived up to 3 days after election day.

Now, the objectors are right about that. In my view, the Supreme Court of the United States should overturn that illegal decision. But only 10,097 ballots arrived in Pennsylvania during the 3 days after the election, and those 10,097 ballots have been excluded from the vote count that resulted in President-Elect Biden winning Pennsylvania by about 80,000 votes. What greater remedy could the objectors possibly want than the complete exclusion of the late-arriving ballots? How could we possibly invalidate the entire Pennsylvania election over 10,000 votes that were not even included in the vote count?

A second charge we heard—and the Senator from Missouri alluded to it this evening—is that a 2019 Pennsylvania law that allows mail-in ballots for any reason—that that might violate the Pennsylvania Constitution. First of all, as Senator CASEY observed, this was a bipartisan law passed with nearly unanimous Republican support. Clearly, the State legislators and the Governor believe it is consistent with the Pennsylvania Constitution.

Secondly, this law was not challenged when it was passed. It wasn't challenged when it was applied during the June primary election. It was challenged only after President Trump lost the general election. But 2.6 million Pennsylvanians voted by mail-in ballot in the general election. Over 37 percent of Pennsylvania voters, in good faith, relied on a law to cast their votes, as they had done previously. Now, I understand you can make a theoretical argument about whether this is consistent with Pennsylvania's Constitution, and that needs to be resolved for future elections. But because of this constitutional question that some people have, the objectors want to prevent Pennsylvania voters from participating in the Presidential election entirely. That would be an outrageous remedy to this purported offense.

A third charge we have heard is that Pennsylvania officials did not properly implement Pennsylvania election law in a variety of other ways. But the Trump campaign has shown that many of these issues have—well, first of all, none of these issues would have changed the election outcome, but more importantly, the campaign had many opportunities, of which it availed itself, to litigate these issues. They did

time and again, and they lost repeatedly, often in unanimous, bipartisan decisions.

Some of the objectors also cite Congress's own failure to investigate allegations of election irregularities, and that is their justification for refusing to certify the election results. But the allegations of election irregularities and fraud have been investigated. They have been adjudicated. They were adjudicated in the States in which they were alleged to have occurred.

In Pennsylvania, the Trump campaign took their case of election irregularities into the courtroom of Judge Matthew Brann of the Federal district court. Judge Brann is a conservative Republican Federalist Society member. Here is what he said about the Trump campaign case:

This court has been presented with strained legal arguments without merit and speculative accusations . . . unsupported by evidence. In the United States of America, this cannot justify the disenfranchisement of a single voter, let alone all [the] voters of the sixth most populated state.

So the campaign then appealed Judge Brann's decision to the Third Circuit, and they drew a three-judge panel, all Republican-appointed judges, one appointed by President Trump. The panel concurred with Judge Brann.

Certainly there were irregularities in this election—there always are—but there is no evidence of significant fraud, conspiracies, or even significant anomalies that cast any serious doubt on who actually won the election.

You know, one of the ways you can tell is to look at the big picture in Pennsylvania. Look at what happened. In 2016, President Trump won Pennsylvania by eight-tenths of 1 percent. In 2020, he lost Pennsylvania by a little over 1 percent. Is there anything at all that is implausible or surprising about a 2-percent change in the election outcome?

Relative to 2016, in Pennsylvania the President lost a little ground in most of the rural counties he had carried. He lost a lot of ground in the big suburban counties, and he slightly narrowed his large loss in Philadelphia. There are no surprises here. This reflects a pattern that occurred all across the country.

My colleagues, as I have said, it is not our responsibility to sit in judgment of State election procedures in the first place, but if it were, there would not be nearly sufficient reason to deny my constituents their right to participate in this Presidential election.

Joe Biden won the election. That is not what I had hoped for, but that is what happened. It was an honest victory with the usual minor irregularities that occur in most elections.

We witnessed today the damage that can result when men in power and responsibility refuse to acknowledge the truth. We saw bloodshed because the demagogue chose to spread falsehoods and sow distrust of his own fellow Americans. Let's not abet such deception. Let's reject this motion.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, with just a few minutes to speak, I am going to get right to the point.

Gunfire in the halls here, IEDs on the Capitol grounds—I will say to my colleagues, with the domestic terrorists roaming the halls just a few hours ago, I have been stunned that this debate is actually going forward, and that is because, colleagues, this is a fake debate on electoral certifications; that is because it lends credibility to the bogus idea that the Congress can actually toss out the results of the election, and, as we saw today, it serves to fuel insurrection.

Contrary to what some of my “aye” voting colleagues believe by votes cast just a few minutes ago, this debate has never been about setting up some kind of routine election tribunal. This isn’t about election security. If the Republic majority for the last 2 years had actually been interested in election security, they would not have worked relentlessly to block my legislation to secure our 2020 elections with hand-marked paper ballots and post-election security audits.

By the way, those are the kinds of approaches that are part of the Oregon system, where for 25 years we voted by mail. I am the Nation’s first mail-in U.S. Senator. The second—and I see my colleagues from Maine and Alaska here because they are very fond of him, like I am—Gordon Smith, a Republican, was the second mail-in U.S. Senator in our country. That is because we do the job right. It is efficient.

Our late-Republican secretary of state, Dennis Richardson, actually told President Trump there was no evidence of fraud.

So if Republicans had been interested over the last 2 years in actually working with me and colleagues on both sides of the aisle and secretaries of state, we could have had an approach that would have empowered the Oregon idea to go national. Instead, we are now debating tonight the idea of—a discussion grounded in total fiction, brewed in cauldrons of conspiracies online. These, colleagues, are fever dreams—fever dreams laundered by people with election certificates and real power. And I will tell you, it has been painful to watch colleagues sidle up to some of those conspiracies that would inflict so much damage on the American experiment.

Colleagues, I am going to close with one last point. We saw today an effort by domestic terrorists to try to punch our democracy to the ground, to the ropes. I am going to close by simply saying something that hadn’t been said tonight, and that is that Donald Trump can do enormous damage to our country in the next 2 weeks. In the next 2 weeks, colleagues, Donald Trump can do enormous damage to our wonderful country.

This afternoon—I don’t know if my colleagues saw it—the National Asso-

ciation of Manufacturers—an organization with thousands of businesses, thousands of companies, and not exactly a leftwing outfit—they called for moving forward with the 25th Amendment. That was all over the news already this afternoon, colleagues. The National Association of Manufacturers. That is what we are seeing in our country with respect to the fear of Americans, having watched what happened here.

I am just going to close by way of saying that I believe that for the next 2 weeks, we have an enormous responsibility to watchdog Donald Trump day in and day out, to do everything possible to prevent the kinds of abuses that we saw today, where an American lost her life, and we saw the fear among our citizens at what went on. Let’s do everything we can as leaders, Democrats and Republicans, to make sure that in the next 2 weeks, Donald Trump’s abuses are checked and we do everything we can to protect this wonderful Nation of ours.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. RUBIO. Mr. President, over the last weeks and days leading up to this vote here today, I have heard from a lot of people about this vote, and I guess I want to address it as much to them as anybody else. These are people I know. These are friends. These are neighbors. These are longtime supporters, generally people on my side of the political aisle.

And they are upset. They are upset. They look at the media, and the media, they censored stories that might have been negative toward Joe Biden or were negative toward Joe Biden, and social media companies helped them out. And they saw how some States tinkered with and even mutilated State election laws, and they have doubts that the election was legitimate.

It gives this country this extraordinary crisis of confidence, which is very dangerous because democracy is very fragile, and it is not held together by elections. Democracy is held together by people’s confidence in the election and their willingness to abide by its results.

So the notion was we need to do something; we need to fight. Several of my colleagues have adopted the idea—and I respect it—that they are going to object.

Now, listen, it is important to understand something. Even the people objecting in the Senate recognize that it is not going to pass. It is not going to change the outcome, but it is going to send a message, and it is going to make a point.

The problem is I think it is a terrible idea at this moment. Just hours ago, a young lady died in this Capitol. That means somebody, somewhere in this country, got a phone call that their daughter was dead. Their daughter was going to a political rally; she is dead—

died in this Capitol, somewhere not far from where we are standing.

We had police officers—the men and women we walk by every single day, who guard the doors and we say hello to—out there with riot gear getting spit on and attacked today—not 10 weeks ago; just a few hours ago. I think it is important to think about all those things on a night like tonight with everything that has happened.

I wouldn’t even be here today—I doubt very much whether I would have even been interested in politics—had it not been for my grandfather. He died when I was 14, but I grew up at his knee. He would sit on the porch and would smoke three cigars a day, and he loved history.

He was born in 1899 in rural Cuba. It was still governed by the United States. It was a protectorate. Three years later, it gained its independence and became a republic.

During my grandfather’s first 60 years of life, he saw his country have an armed insurrection after a contested election, multiple Presidents go into exile, two military coups, and the rise of a Marxist dictator—a tyranny that stands to this day.

My entire life—my entire life I have lived with and next to people who came to America because their country was chaotic and their country was unsafe. What I saw today—what we have seen—looks more like those countries than the extraordinary Nation that I am privileged to call home, and I think about the mockery that it makes of our country.

A lot of people say: Oh, well, China, China. Let me just say something. In all modesty, no one here has worked harder on the issue of China. They hate my guts. I am sanctioned—I don’t know what they are sanctioning—double sanctioned, and I can’t travel there. I wasn’t planning to anyway.

China is laughing. They are loving this tonight. In Beijing they are high-fiving because they point to this and they say: This is proof the future belongs to China. America is in decline.

Vladimir Putin—there is nothing Vladimir Putin could have come up with better than what happened here. It makes us look like we are in total chaos and collapse—not to mention the Ayatollah, who is probably bragging, if he has buddies, to his buddies: Look what is happening to the Great Satan.

I think politics has made us crazy. Everybody in this country has lost their minds on politics, and we have forgotten that America is not a government, America is not a President, America is not a Congress.

Let me tell you what America is. America is your family. America is your faith. America is your community. That is America. That is what our adversaries don’t understand, and that is what we need to remember. That is how we are going to rebuild this country and turn the page and have a future even brighter than our past.

So that is why I feel so strongly about this and why I hope those who disagree with me will understand.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Ms. HIRONO. Mr. President, it has been hard, at times, to find the words to describe the full harm that Donald Trump has inflicted on our country. We can spend hours dissecting how his policies have made us less safe and less healthy, but his Presidency has also been a profound moral failure.

Let me tell you a story. A few years ago, a father from Hawaii joined me at one of my talk-story sessions in my office, and he asked me a question that struck me hard at that time and has stuck with me until today. He said: How can I tell my son that lying is not OK when the President of the United States lies every single day? I struggled to answer his question then, and I am not sure I could offer an adequate answer now.

But this conversation remains a clear example of how we do not live in normal times. How is it normal as we and the world watched in horror as an angry mob stormed the U.S. Capitol? Blood was shed. People were hurt. Vandalism occurred.

It is not normal when we have a President who lies every single day. And even in the face of this vandalism, this mob, he really doesn't have much to say except: I love you. You should go home now.

It is not normal when, in the middle of a pandemic that has claimed the lives of over 350,000 Americans, which is nearly the combined population of the islands of Maui and the Big Island, we have a President who only seems to care about spreading conspiracies to undermine confidence in our elections and our democracy.

It is not normal when duly elected Senators who took an oath to uphold the Constitution pull a stunt to try and nullify millions of votes in six States so that Donald Trump can remain President. I call this effort a stunt because it is doomed to fail.

We have a strong bipartisan majority, as noted in the vote that we just took, in both Chambers of Congress who reject this stunt, and courts have ruled against Trump and his allies in more than 60 cases.

So whenever this farce ends, the result will be the same: Donald Trump will have lost the election, and Joe Biden will become the 46th President of the United States.

You can tell a lot about a person from the way they handle defeat. The way Donald Trump has handled defeat says a lot about who he is. Watching so many of our colleagues indulge the President tells us a lot about them too.

We don't have to look back very far in history to find examples of candidates who lost tough races but demonstrated their character in defeat. Our colleague Senator ROMNEY graciously conceded his defeat to President Obama in noting:

At a time like this, we can't risk partisan bickering and political posturing. Our lead-

ers have to reach across the aisle to do the people's work, and we citizens also have to rise to the occasion.

And in 2000, during an election with substantial irregularities and partisan intervention from the Supreme Court, Al Gore, nevertheless, put his country first and he said:

Let there be no doubt, while I strongly disagree with the Court's decision, I accept it. . . . And tonight, for the sake of our unity as a people and the strength of our democracy, I offer my concession.

As I reflect on the service of these distinguished public servants and the acts they took to maintain our democracy, I am also drawn to remarks President Obama made 4 years ago in his farewell address to the Nation when he warned that our democracy is threatened whenever we take it for granted.

It is a particularly sage warning as we contend with the President of the United States seeking to nullify a free and fair election simply because he lost. We have to stand up, speak out, and fight back because our democracy itself is at stake.

American democracy has endured over these centuries in large part because our institutions serve as guardrails to keep us from going over the cliff. As elected officials, we can strengthen these guardrails by listening to our own conscience in moments of peril, by having what our friend John Lewis called "an executive session with myself."

Before making a big decision, John would say: Listen self, this is what you must do; this is where you must go. Today, we can follow John's example, listen to our conscience, stand up for our Constitution, and do what is right.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, let me begin my remarks tonight by expressing my heartfelt gratitude to the members of the law enforcement community and the National Guard whose hard work and courage made it possible for us to resume our deliberations tonight.

We return to this Chamber tonight undeterred by the violence we witnessed and strengthened in our determination to fulfill our constitutional duty. The Constitution is the foundation of our American democracy, and the Constitution is what must guide our decisions on the Presidential election.

The process the Constitution sets forth for electing Presidents through the electoral college is straightforward. The people vote. Electors are chosen. The electors vote. Then Congress counts the electors' votes.

That final step in the process is why we have convened today. Counting the votes of the electors, a function that the 12th Amendment assigns to Congress, is an administrative and largely ceremonial act. Our job is simply to count the votes certified by each

State—nothing more. We should not attempt to usurp the roles of the voters, the States, or the electoral college.

The American people have done their job, turning out in record numbers to vote in the midst of a frightening pandemic. Indeed, as a percentage of the voting-eligible population, the turnout was the highest in 120 years. Similarly, in the midst of this pandemic, hundreds of election officials and volunteers have done their job, staffing polling places and faithfully counting and often recounting votes. The States have done their job by certifying the election results.

Now, I have heard the proponents of these objections raise questions about whether the various States conducted their elections properly. When disputes over elections arise, candidates are able to appeal to our legal system, not Congress, for recourse.

In the 2 months since the 2020 election, the President's lawyers and allies have had the opportunity to make their arguments and challenge election results before the courts. Notably, every one of nearly 60 lawsuits they have brought forward have been rejected. In fact, the Supreme Court has twice refused to hear their election challenges.

We must abide by these rulings. The time has now come for Congress to do its job. We should affirm the certified results of each State by counting the votes of their electors. Altering the results of the electoral college would set a terrible precedent in which the party in control of Congress could override the will of the voters and overrule our courts to unilaterally choose the next President. One Senator attempted such a maneuver after the election in 2004, and the Senate overwhelmingly rejected that effort. The Senate has demonstrated by its vote tonight that it will follow that precedent and do so again.

Today—tonight, Mr. President, I will continue to vote to reaffirm the foundation of our democracy, the Constitution of the United States. And I will reject these challenges to the electoral college.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MERKLEY. Mr. President, I invite all of my colleagues to cast your eyes upon these three boxes sitting on the table in front of the dais. These three boxes contain the certified results from every State in our Union regarding how that State voted, how their electors have voted for the President of the United States of America.

You cast your eyes on these three boxes, and you know that there is something special. You see that there are straps on them holding the top on and straps around the side and they are engraved—beautiful handle, beautiful leather work, crafted in the cabinet shop of our very Senate to say to the world that their cargo is precious.

There are three of these boxes. The third box is brand new. It was crafted

because so many States were celebrating this process that they started to use very large forms, very large envelopes, very large seals to put those ballots into and, thus, a third box was needed. These boxes contain the voice of the American people weighing in, as they have election after election after election. They have been used—these two smaller boxes—for the last 14 elections. They are transported through those doors to the House of Representatives, where the Senate and House gather to witness the opening of the envelopes to determine who will be the President of the United States. It is our constitutional responsibility to witness the counting. That is what the Constitution calls for.

Tonight, when this Senate Chamber was under attack by domestic terrorists, we were held here in this room, doors locked to protect us with the help of the Capitol Police. They did an excellent job. And then they escorted us to a safe room. That announcement came quickly. And when that announcement came, our senior assistant parliamentarian, Leigh Hildebrand, organized the team to rescue these boxes and keep them safe.

Thank you to her and the entire team that rescued the voice of the American people. Had they not done so, then the hooligans outside, disrespecting the Constitution, would have come in here and opened these boxes and burned the ballots, destroying the voice of the people symbolically. I know no one in this Chamber wanted something like that to happen because we are here to defend the Constitution, to defend the integrity of the election process, not to allow it to be destroyed.

But, colleagues, although we are 100 Senators—or 99, actually, now because there are only 99 of us who are duly elected at the moment. We are 99 Senators united across party, defending these ballots from the hooligans outside.

There is more than one way these ballots can be destroyed, and that is for this Chamber and the House Chamber to vote that one of those envelopes representing the State will be shredded, will be burned, that those votes will be discounted.

We just held a vote on whether or not the envelope containing the electoral votes from Arizona should be burned. We defended these ballots against the hooligans outside, but there are those in this Chamber supporting the destruction of the voice of the citizens of Arizona—six voted. And we are coming back later tonight to vote on whether to shred or burn the ballots for the people of Pennsylvania.

We have to stand together to say absolutely not. The constitutional responsibility is for us to defend the process, not to proceed to destroy these ballots.

Now, in spite of all the troubling things that have happened in this Chamber this evening, something beau-

tiful happened, and that is, we sat here in this Chamber, all of us listening to each other, 5-minute speeches, hearing each other out, diverse views, wrestling with a complicated issue. It is really the first time that has happened in the 12 years I have served in the Senate.

We need to restore the process of struggling with America's issues together on the floor of the Senate. That is the Senate I saw when I first came here as an intern for my home State Senator in 1976. That is the Senate that I saw when I worked for Congress in the 1980s. That is the Senate that has disappeared.

There is a conversation going forward between Democrats and Republicans to restore the ability to hold debate on the floor, to restore the ability to have amendments on the floor so that we deliberate and wrestle with—in a very public and transparent fashion—the big issues.

So let's take this moment, when we are rethinking how to restore the institutions of our government, to restore and improve how this Senate operates to deal with the issues ahead of us, so that this moment is a moment where we come together rather than be divided; where, in a bipartisan fashion, we craft a strategy to restore issues to the floor—bills and amendments—and debate and decisions before the public.

Out of a dark moment can shine a bright light, a renewal, and it is a moment much needed now—a moment much needed in the executive branch as we, on the 20th of January, welcome new leadership.

And it is a moment much needed for us to restore the Senate to be the deliberative body once renowned and respected around the world. Let's defend these ballot boxes, both from the hooligans outside and those who would vote to destroy the ballots from any given State. And let us come together and restore the Senate and fight for the vision of our “we the people” Republic.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. CARPER. Mr. President, “Free, fair elections are the lifeblood of our democracy. Charges on fairness are serious.” I think we will all agree. “But calling an election unfair does not make it so. Charges require specific allegations and then [they require] proof. We have neither here.”

Those are not my words. Those are the words of a judge on the U.S. Circuit Court of Appeals for the Third Circuit rejecting President Trump's legal challenges to the Pennsylvania election. I might add, a judge who was a longtime member of the conservative Federalist Society and was nominated to the bench by none other than Donald Trump.

The 2020 Presidential election was hard-fought—we will all agree. But the American people spoke clearly, and they spoke decisively: 81.2 million voters voted for Joe Biden—81.2; 74.2 million voted for Donald Trump; 51.3 per-

cent of the vote went for Joe Biden; 46.8 percent of the vote was for Donald Trump; 306 electoral college votes for Joe Biden; 232 electoral college votes for Donald Trump. Four years earlier, Donald Trump referred to that kind of outcome as a “landslide” for him, and he lost the popular vote by 3 million votes.

But accepting the outcome of the election can be difficult when our political party doesn't win. We have all felt that before. But calling an election unfair does not make it so. More than 60 Federal and State courts involving more than 90 judges—many of whom were nominated by Republican Presidents, including Donald Trump—are all in agreement. That is pretty amazing, isn't it? All in agreement. No evidence of widespread fraud, wrongdoing, or other irregularities have been uncovered during the 2020 election. That is a victory for democracy, for our democracy.

Unfortunately, some of our colleagues today ask us to do the same thing that Donald Trump asked of the secretary of state for the State of Georgia—to overturn the results of the 2020 election without specific allegations and, more importantly, without any proof. Our colleagues are asking us not to abide by the will of the people but to bend to the will of one man—one man—Donald Trump.

In 1787, delegates from the Thirteen Colonies convened in Philadelphia to debate the future of what would become the United States of America. Our Founders disagreed on a lot of things, but, you know, they all agreed on one thing for sure: They did not want a King; they did not want a Monarch. Many of them had been there, done that. They didn't want to see it and feel it again, and they set up this intricate system of checks and balances to ensure that we would never have that all-powerful King in this country.

That system of checks and balances is being pushed to a dangerous limit here today, but that system will prevail—along with it, our democracy.

Here are just some of the claims Donald Trump and his legal team have made and that our colleagues lend credence to here today: that Venezuela, Cuba, and China rigged our country's voting machines in favor of Joe Biden; that dead people voted in this election, and they only voted for Joe Biden; that poll watchers and election observers who risked their lives during this pandemic to uphold the integrity of our elections stuffed ballot boxes with Biden votes, and then they shredded Trump votes.

Not one—let me repeat—not one of these things is true. There is no evidence—no evidence—to back up these ridiculous claims. Many of these absurd claims from Donald Trump and his legal team are nothing more than conspiracy theories circulating online.

This misinformation and dangerous rhetoric from the President and his allies—including calls for violence—have

polluted our discourse and imperiled our peaceful transfer of power.

When our colleagues show indifference to outright support for these unsubstantiated claims and conspiracy theories, they lead our Nation and our Constitution down a dangerous, dangerous path.

All of us who serve here swore an oath to support and defend our Constitution. I swore that same oath as a naval flight officer many times and as midshipman before that. But all of us here have sworn to support and defend our Constitution, not our political party and certainly not any individual candidate.

Colleagues, for the safety of our citizens and our Republic, we must lead by example. We must turn the temperature down. It was a hard-fought campaign, but the campaign is over. The votes have been counted. The count has been certified in all 50 States.

In 2 weeks, on January 20, Joe Biden and KAMALA HARRIS will be sworn in as President and Vice President of the United States, as they should be. We have serious and urgent challenges that will require working together with our new President and new Vice President, with one another in this Chamber—Democrats, Republicans, and Independents—and with our colleagues over in the House of Representatives.

What is on our “to do” list?

We can start with making sure that hundreds of millions of Americans get vaccinated—that we get off the dime and start vaccinating. We vaccinated 4 million people last month. We were supposed to have vaccinated 20 million. How are we ever going to get to 250 million at this rate?

What else is on our “to do” list?

We are getting our kids back to school. We have kids who are unable to get on the internet, who are unable to participate in their classes, and who may not have any adult supervision at home. They are struggling, and they are falling even further behind. We need to do something to help them.

What else is on our “to do” list?—getting their parents back to work, just to name a few things. Think of all of the millions of people who have lost jobs and don’t have skills anymore to fill the jobs that are needed. They need our help. They need to be retooled and retrained. It is time to stop overturning the will of the people. Let’s get back to working on their behalf.

Abraham Lincoln has been quoted a couple of times here tonight, but he observed at the end of the Gettysburg Address that ours is a “government of the people, by the people, for the people.” Even in the midst of a civil war, President Lincoln put his unwavering faith in the people to chart our Nation’s course. We would be wise to remember Lincoln’s words at this moment, at this special moment, in our Nation’s history.

We are not a government of Trump, by Trump, and for Trump. We are a

government of the people, by the people, and for the people, and the people have spoken. The people have spoken. Our job here today is to listen to them. I intend to do that. I trust that my colleagues will join me in doing that as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, first, I want to thank all of the first responders who helped to protect this sacred Chamber today and protect those electoral college ballots.

Today is a special day. On a day when some 2,500 or more Americans will lose their lives to the coronavirus, when another 130,000 will be hospitalized with it, when hundreds of small businesses will close their doors and put thousands of Americans out of work—on this day—the U.S. Senate is not debating how to get more life-saving vaccines into Americans’ arms or how to put 2,000 badly needed dollars into their pockets. No. Instead, we are using the first days of the new Senate and Congress to give time to our radical Republican colleagues’ baseless and damaging claims of election fraud—all in an attempt to keep Donald Trump in office in violation of the U.S. Constitution. There is a word for this. It is called “sedition.” All of these unfounded objections to State electors are seditious. They are nothing short of an insurrection against the established order of the U.S. Constitution and our democratic Republic.

This is a historically shameful day for the Senate and for our country. To be clear, the notion that there is any meaningful voter fraud that has been identified in the 2020 Presidential election is a dangerous, anti-democratic, treasonous fiction. Joe Biden won. Donald Trump lost—period—but that hasn’t stopped the President and his supporters from making allegations of voter fraud in some 60 legal challenges across the country, heard by some 90 judges, including Trump judicial appointees. Not one of these challenges succeeded—not one. Despite this reality, my radical Republican colleagues claim we must have a commission to investigate the fraud.

Well, we do know one of the most undeniable instances of substantial and significant election fraud ever. We even have a recording and a transcript of it. It is of President Trump, talking like a Mafia boss to the Georgia Secretary of State—a Republican no less—pressuring and threatening him to fix the election in Trump’s favor, and holding out the prospect of criminal prosecution if he doesn’t.

“Find me 11,780 votes,” Trump said. Well, someone should find Donald Trump a real lawyer and measure him for an orange jumpsuit, because the list of statutes that this latest, shocking Presidential phone call may violate is too long to recite. The President’s words on that phone call—indeed, his conduct since his election—demand a

serious response, one much more serious than the sham before us today.

First, Federal and State law enforcement authorities should investigate Donald Trump for election fraud, extortion, conspiracy, and whatever other charges fit the bill and, if warranted, indict and try him for any crimes he has committed.

Second, we must recognize that Donald Trump is and will remain a danger to our Constitution and our democracy. So, while time is certainly limited, we should impeach Trump again and bar him from holding office in the future.

Finally, we should abolish the electoral college. It is a vestige of a racist Jim Crow America, and we have outgrown it. Every person’s vote in every State should count just the same—one person, one vote.

Election fraud and reform are very serious issues. Election reform absolutely should be debated in Congress, which is why, instead of today’s Kabuki theater, I invite my Republican colleagues to stand up and say: Yes, we need to protect and expand voting rights and election security. We need automatic voter registration. We need online voter registration. We need same-day voter registration. We should make election day a Federal holiday. We should restore voting rights to people with prior felony convictions. We should support independent redistricting commissions. Let’s spend our time debating that on the floor—debating how to reduce the influence of big money in our political system, to slow the revolving door between government officials and lobbyists, to stop gerrymandering and voter suppression. That is the real election reform that we should be debating and supporting, not these shameful, craven, baseless objections.

More than 350,000 Americans have died from the coronavirus. That is the truth. Nearly 8 million people have fallen into poverty because of the economic crisis caused by this virus. That is the truth. Wearing a mask saves lives. Vaccines are safe and effective. That is the truth. Joe Biden won. Donald Trump lost. That is the truth.

I urge all of my Senate colleagues to vote against these objections, affirm our democracy, and recognize that Joe Biden and KAMALA HARRIS will rightfully be sworn in on January 20 as the President and Vice President of the United States.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, today was a stomach-turning, gut-wrenching moment in our history. Truly, it was an assault on the heart of our democracy.

I want to join in thanking the first responders and the police.

I also want to thank others who have been heroes of our democracy—unsung in many instances. First, they are all of the election officials, all of the poll workers, all of the members of boards

of election who actually counted the votes—who went to the polls and made sure that votes could be cast—and who, ultimately, stood firm for the integrity of that voting system.

I want to thank the judges. There are now about 90 of them who, except for one or two who ruled the other way on a technicality, have stood firm for the integrity of that voting system. In those 60 to 70 cases, except for that one who ruled on a technicality, they went with the integrity of our voting system and the rule of law.

Today was, indeed, disgusting and sickening. It was shocking and despicable. It was heartbreaking, but it was not surprising. In fact, today's assault on our democracy—the mob violence, the riots, the thugs and goons who were inspired and incited by the President of the United States—all were of a piece, in these past 4 years, of a President who has no respect for the truth or the rule of law.

Donald Trump's Presidency is coming to a close in the very same way it began—with an attack on our democracy. In 2016, the Trump campaign welcomed hostile foreign interference with our election. The President refused to acknowledge that he would accept the results of the election if he lost. Then, again and again, he demonstrated his contempt for the rule of law and for laws themselves. He obstructed justice, and he would have been charged with it had he not been the President of the United States. He invited a foreign government to interfere in our elections and find dirt on his political opponent.

Most disturbingly, these actions by a President who demonstrated that contempt for the rule of law were met with silence from many political leaders, our colleagues here in the Senate among them—silence in the face of that contempt for the rule of law and disrespect for the law enforcers.

So we could have seen today coming. In fact, we did. I warned about it, and others did because the fantasies and falsehoods that drove those rioters—not protesters but the mob who assaulted the temple of democracy—were fueled by the President's misstatements and lies and contempt for the truth, and he was enabled. He had enablers.

Today, we are stopping, in one instance, that enabling, but we must also make sure to stop it going forward. The political stunt that brought us here today offers no great solace that it will. These stunts have consequences. We say words have consequences, and the actions today will have significant consequences. They are an attack on our democracy that undermines the core tenets of our American Government and a disrespect for the will of the people and a peaceful transition of power. The political stunts themselves, driven by opportunism, blaze a path that can be followed by more competent challenges just as the dictatorial instincts and ac-

tions of this President can be followed by more effective would-be tyrants intent on destroying our Republic.

Yes, we have more important tasks that we should be addressing as well—the pandemic, the economic revival. Yet, today, we must be mindful of the threat to our democracy that we face down and come together on a bipartisan basis, but silence is never excusable in the face of lawlessness at the very top of our political structure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I have a question for all of my colleagues this evening, which is this: What happened here today, and how is it different from what we expected as we assembled in this Chamber early this afternoon?

Sadly, much like the impeachment trial of just a year ago, I think as many of us slogged our way to the Nation's Capitol and dutifully filed into this Chamber, we expected hours and hours of debate and discussion, knowing the outcome, knowing that what was being engaged in by a handful of our colleagues was a political stunt, feeding the ego of our President, who is chasing conspiracy theories about how he actually won the election 2 months ago that he lost and indulging his belief that somehow, somehow, the Congress could still, at the last moment, snatch victory from the jaws of defeat.

Even in the last day, President Trump had been haranguing his own incredibly loyal Vice President, MIKE PENCE, as if somehow Vice President PENCE would simply declare him President today.

We knew that President Trump had been stirring up the spirits of thousands, urging them to come to Washington. We had an inkling that he might go out and speak to them, but I don't think, as we filed into this Chamber, any of us—any of us—expected that, for the second time in our Republic's history, the perimeter of this Capitol would be breached, Members of the Senate would be rushed to safety; that not just the Capitol Police but U.S. Marshals and FBI officers and fully combat-gear soldiers would be in the U.S. Capitol, taking it back from a riotous mob of thugs.

Just a few moments ago, I went to the Rotunda to see the litter and the trash, the residue and the remnants of those who took over this building today, and to say thank you to the men and women of law enforcement who helped secure it after it fell to an angry mob.

But, folks, we have to think about the consequences of what happened here today, why this happened, and what it means and what it teaches, because, frankly, tonight, now, the whole world is watching. The entire world is watching a montage of scenes—of folks cavorting in the Capitol, half-naked men taking that seat, scrawling things on different surfaces, parading up and down the Capitol corridors with a Con-

federate flag and a Trump flag, and in other ways signaling that they had done something significant. No. In fact, what they have actually done is weakened our democracy, showed some of its fragility, and encouraged our opponents around the world.

In the last 2 months since the election, we have one man who has abandoned his post, who has mostly spent his time golfing and tweeting and indulging himself in conspiracy theories and been less and less attuned to our national security and to a raging pandemic, and another man, our President-elect, who is preparing to take over the responsibility for leading this country out of this pandemic and out of its current state of deep, deep division.

President Trump has abandoned his post. He does not deserve to be President any longer, and he poses a real and present threat to the future of our democracy.

But let me also say this to my colleagues, half of whom changed their intended vote today after seeing what happened in the Capitol. There were, as we began, roughly 13 Senators—Republicans—who said they were going to vote against the certification of the election, and when we actually finally called the roll, it was just 6—7 of them having been chastened by the events of today. But two who continue on this quest clerked for the Supreme Court Chief Justice, are deeply schooled in the law, and know better than what they did today. And in the House, in the debate going on over in the House even now, more than 100 House Republicans continue with this effort.

On this floor earlier today, this evening, there were strong and clear and brave speeches by Republicans and Democrats alike.

So I have a question as we move forward. When will this fever break? When will we finally say to each other: Enough is enough of indulging and following populism and demagoguery. Is it time to finally show who the leaders are and to uphold our Constitution that every one of the House Members and a third of us swore to uphold just 3 days ago?

I will tell you, as I look ahead, that I am confident that 2 weeks from now, Joseph Biden will be sworn in as the next President, KAMALA HARRIS sworn in as the next Vice President, and we have a unique moment in my lifetime, because, as Presidents and leaders in the Senate of both parties over the last decades have observed, the Senate has steadily shrunk in its significance, its role, in its power, and the Presidency has steadily grown. Not in my lifetime—not since LBJ—have we had an incoming President who spent 36 years in this Chamber.

We have a chance with Joe Biden, a President-elect who ran on bringing our country together, a President-elect who ran on turning the page from our moment of national division, and a

President-elect who respects and honors and understands the significance of this body.

So we have to take this opportunity to heal, to hear each other, to compromise, to work together, and to see the real challenges facing the American people and take this last best moment.

What happened here today should leave all of us gravely concerned about the health and the future of our democracy, and the opportunity we will have 2 weeks from today is one we should not let pass us by.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, more than 350,000 of our loved ones have died from a terrible disease. Small businesses have gone under, never to reopen. Millions have lost their jobs, and too many families don't know how they are going to pay the rent or put groceries on the table.

It is tough out there, but Americans are fighters, and despite all the challenges, in November they did what Americans do when they are unhappy with their leadership—they voted for change. They turned their backs on a sitting President who fans the flames of hatred while bodies pile up in the morgue. Instead, they elected a new President who wants to save lives, to save our economy, and to save our democracy.

Even as the pandemic raged, Americans showed up for democracy. States worked overtime to set up safe systems, ballot drop boxes, early voting, and gallons of hand sanitizer. Voters mailed their ballots earlier, put on masks, and stood in line at the polls. The election of 2020 shattered voting records.

So here we are on the floor of the U.S. Senate in the aftermath of a historic election held in the middle of a pandemic. People are suffering, and we should be working to get them the help they need. Instead, we are here because Donald Trump wants to overturn the results of that election. The Republicans objecting to the results of this election will be judged by history, but the rest of us will be judged as well.

It is our responsibility to stand up for our democracy even while other Senators work to undermine it.

Losing is hard. I ran for President myself. It was a hard-fought primary, but Joe Biden won and I lost. I am not the only one to live through that; a number of Senators in this room have run for President. None of us was successful, and when we lost, we conceded and we got out of the race because that is how democracy works. None of us lied about the results. We didn't throw temper tantrums. We didn't tell our allies in Congress or the States to overturn the results. We didn't feed poisonous propaganda to our supporters. We didn't urge people to march on State capitals or to descend on Washington. We accepted the will of the voters.

And it is not just us; it is everyone who has run for President since the beginning of America. Only once in America's history have the people who lost tried to burn down our democracy on the way out. They caused a civil war that nearly destroyed our Nation.

Make no mistake, the violence we witnessed in this Chamber today was the direct result of the poisonous lies that Donald Trump repeated again and again for more than 2 months. His words have consequences. Our democracy has been grievously injured by this lying coward.

This effort to subvert our democracy is not merely one last Presidential tantrum. This effort is designed to knock out the basic pillar on which democracy is founded: the idea that the voters—not the sitting President and not the Members of Congress but the voters decide who will lead this Nation.

A democracy in which the elected leaders do not bend to the will of the voters is no democracy. It is a totalitarian state. And those who pursue this effort are supporting a coup.

I urge my colleagues to vote no on this effort to overthrow our democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the chair.

The PRESIDING OFFICER. Without objection, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 11:25 p.m., recessed subject to the call of the Chair and reassembled at 12:28 a.m. when called to order by the Vice President.

The VICE PRESIDENT. The majority leader.

Mr. McCONNELL. I know of no further debate.

The VICE PRESIDENT. Pursuant to S. Con. Res. 1 and section 17, title III, U.S. Code, when the two Houses withdraw from the joint session to count the electoral vote for separate consideration of an objection, a Senator may speak to the objection for 5 minutes and not more than once. Debate shall not exceed 2 hours, after which the Chair will put the question: Shall the objection be sustained?

The clerk will report the objection made in the joint session.

The senior assistant legislative clerk read as follows:

Objection from Senator HAWLEY from Missouri and Representative PERRY from Pennsylvania, "We, a U.S. Senator and Member of the House of Representatives, object to the counting of the electoral votes of the State of Pennsylvania on the ground that they were not, under all of the known circumstances, regularly given."

The VICE PRESIDENT. The majority leader.

Mr. McCONNELL. I know of no further debate.

#### VOTE ON OBJECTION TO COUNTING PENNSYLVANIA ELECTORAL VOTES

The VICE PRESIDENT. If there is no further debate, the question is, Shall the objection submitted by the gentleman from Pennsylvania, Mr. PERRY, and the Senator from Missouri, Mr. HAWLEY, be sustained?

Is there a sufficient second?

Mr. THUNE. I ask for the yeas and nays.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 7, nays 92, as follows:

[Rollcall Vote No. 2 Leg.]

#### YEAS—7

Cruz	Lummis	Tuberville
Hawley	Marshall	
Hyde-Smith	Scott (FL)	

#### NAYS—92

Baldwin	Graham	Peters
Barrasso	Grassley	Portman
Bennet	Hagerty	Reed
Blackburn	Harris	Risch
Blumenthal	Hassan	Romney
Blunt	Heinrich	Rosen
Booker	Hickenlooper	Rounds
Boozman	Hirono	Rubio
Braun	Hoeven	Sanders
Brown	Inhofe	Sasse
Burr	Johnson	Schatz
Cantwell	Kaine	Schumer
Capito	Kelly	Scott (SC)
Cardin	Kennedy	Shaheen
Carper	King	Shelby
Casey	Klobuchar	Sinema
Cassidy	Lankford	Smith
Collins	Leahy	Stabenow
Coons	Lee	Sullivan
Cornyn	Loeffler	Tester
Cortez Masto	Lujan	Thune
Cotton	Manchin	Tillis
Cramer	Markey	Toomey
Crapo	McConnell	Van Hollen
Daines	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Moran	Whitehouse
Ernst	Murkowski	Wicker
Feinstein	Murphy	Wyden
Fischer	Murray	Young
Gillibrand	Paul	

The VICE PRESIDENT. On this vote, the yeas are 7, the nays are 92.

The objection is not sustained.

The Secretary will notify the House of the action of the Senate, informing that body that the Senate is now ready to proceed to Joint Session for further count of the electoral vote for President and Vice President.

The majority leader.

#### ORDER OF BUSINESS

Mr. McCONNELL. Mr. President, for information of all of our colleagues, we don't expect additional votes tonight.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages